

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JAMIEL L. WILLIAMS,
Plaintiff

v.

**PA DEPARTMENT OF
CORRECTIONS, et al.,**
Defendants

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No. 1:22-cv-01337

(Judge Rambo)

ORDER

AND NOW, on this 9th day of March 2023, upon consideration of pro se Plaintiff Jamiel L. Williams (“Plaintiff”)’s second amended complaint (Doc. No. 21), and in accordance with the Court’s accompanying Memorandum, **IT IS ORDERED THAT:**

1. Plaintiff’s second amended complaint (Doc. No. 21) is **PARTIALLY DISMISSED** for failure to state a claim upon which relief can be granted pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) as follows:
 - a. Plaintiff’s 42 U.S.C. § 1983 (“Section 1983”) Eighth Amendment claim against Defendant Rivello is **DISMISSED** without leave to amend, and the Clerk of Court is directed to terminate Defendant Rivello from the docket of this case;
 - b. Plaintiff’s Section 1983 First Amendment claim against Defendant Corley is **DISMISSED** with leave to amend;
 - c. Plaintiff’s Section 1983 Fourteenth Amendment claim against Defendant Goss is **DISMISSED** with leave to amend;

- d. Plaintiff is permitted to proceed on his Section 1983 Eighth Amendment excessive use of force claim against Defendant Corley;
2. Plaintiff is **GRANTED** a **final** opportunity to amend his pleading against Defendants Corley and Goss. More specifically, Plaintiff may file a third amended complaint in order to assert his First and Eighth Amendment claims against Defendant Corley and his Fourteenth Amendment claim against Defendant Goss;
3. Plaintiff shall file his third amended complaint against Defendants Corley and Goss within **thirty (30) days** of the date of this Order;
4. The Clerk of Court is directed to mail Plaintiff a civil rights complaint form. Plaintiff shall title that complaint form “Third Amended Complaint” and shall include the docket number for this case, 1:22-cv-01337; and
5. In the event that Plaintiff fails to file a third amended complaint within the thirty (30) days, this action may be subject to dismissal without further notice of Court.

s/ Sylvia H. Rambo
SYLVIA H. RAMBO
United States District Judge